IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6368 OF 2002

M/s. Nutan Warehousing Co. Pvt. Ltd. and Ors. ... Petitioners

Versus

The Indian Bank and Ors. ... Respondents

Mr. Uday Warunjikar for Petitioners.

Mr. O.A. Dubey for R. No. 2.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATED : JANUARY 23, 2006

P.C.

. The Petitioner has challenged the provisions of the Securitization Ordinance. The Ordinance thereafter came to be replaced by an Act. The validity of the Act has been upheld by the Apex Court. Once that be the case, nothing survives in this petition.

. If however, any order is passed to take possession of the assets in terms of the Act, it will be open to the Petitioners to prefer an appeal agianst the said notice. With the above observations, rule discharged. No order as to costs.

. If appeal is filed, within four weeks from today, considering the pendency of the matters before this court, it will be heard on merits without going into the issue of limitation.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)